



GP 2872

PTO/SB/21 (05-03) (AW 07-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 5 + 7 references +
Japanese Office Action

Application Number	09/935,027
Filing Date	August 22, 2001
First Named Inventor	Mikihiro Shimada
Art Unit	2872
Examiner Name	Euncha P. Cherry
Attorney Docket No.	MTS-3270US

ENCLOSURES (Check all that apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached

<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/Declaration(s)

<input type="checkbox"/> Extension of Time Request

<input type="checkbox"/> Express Abandonment Request

<input checked="" type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)

<input type="checkbox"/> Response to Missing Parts/
Incomplete Application

<input type="checkbox"/> Response to Missing Parts under
37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation,
Change of Correspondence
Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication
to Group

<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences

<input type="checkbox"/> Appeal Communication to Group
(Appeal Notice, Brief, Reply
Brief)

<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please
identify below):

Return Postcard |
|---|--|---|

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual	Allan Ratner	Registration No. (Attorney/Agent)	19,717
Signature			
Date	October 22, 2003		

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

October 22, 2003

Name (Print/Type) Allan Ratner

Signature

Date October 22, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



App. No.: 09/935,027

MTS-3270US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No: 09/935,027
Applicant: Mikihiro Shimada et al.
Filed: August 22, 2001
Title: OPTICAL ELEMENT AND METHOD OF FABRICATION THEREOF
TC/A.U.: 2872
Examiner: Euncha P. Cherry
Confirmation No.: 9204
Docket No.: MTS-3270US

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the Form PTO-1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following references are not in the English language:

- 1) JP 11-223735
- 2) JP 10-148729
- 3) JP 08-320422
- 4) JP 63-250607
- 5) JP 11-023875
- 6) JP 10-090539

References 1) to 6) include English language abstracts.

Reference 5) includes a U.S. corresponding patent.

References 1) to 4) and 6) include partial English translations.

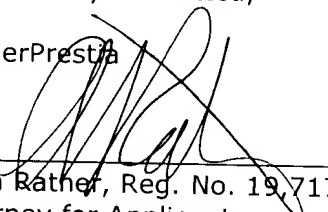
References 1) to 6) were cited in a Japanese Office Action in a patent application corresponding to the above-identified patent application. A copy of this Office Action, which indicates the degree of relevance found by the foreign office, is transmitted herewith.

STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

RatnerPrestip


Allan Ratner, Reg. No. 19,717
Attorney for Applicants

AR/kc

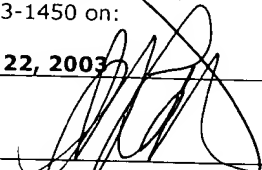
Enclosures: Form PTO-1449
(7) References
Chinese Office Action

Dated: October 22, 2003

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on:

October 22, 2003




(AW 08/03)

Substitute for Form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 2

Complete if Known

Application Number	09/935,027
Filing Date	August 22, 2001
First Named Inventor	Mikihiro Shimada
Art Unit	2872
Examiner Name	Euncha P. Cherry
Attorney Docket No.	MTS-3270US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Issue Date/ Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-5,949,943 (corresponds to JP 11- 023875)	09/07/1999	Watanabe et al.	Entire Document
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		JP 11-223735 (w/English abstract, partial English translation)	08/17/1999	Nippon Telegr & Teleph Corp	Entire Document	<input type="checkbox"/>
		JP 10-148729 (w/English abstract, partial English translation)	06/02/1998	Nippon Telegr & Teleph Corp	Entire Document	<input type="checkbox"/>
		JP 08-320422 (w/English abstract, partial English translation)	12/03/1996	Fujitsu Ltd	Entire Document	<input type="checkbox"/>
		JP 63-250607 (w/English abstract, partial English translation)	10/18/1988	Seiko Epson Corp	Entire Document	<input type="checkbox"/>
		JP 11-023875 (corresponds to USP 5,949,943)	01/29/1999	Toyota Central R&D Lab Inc	Entire Document	<input type="checkbox"/>
		JP 10-090539 (w/English abstract, partial English translation)	04/10/1998	Nippon Telegr & Teleph Corp	Entire Document	<input type="checkbox"/>

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

